



Paper No. 810

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COPY MAILED

DEC 13 2002

OFFICE OF PETITIONS

In re Application of :
Luke Gregory Kelly :
Application No. 09/993,529 : DECISION ACCORDING STATUS
Filed: 14 November, 2001 : UNDER 37 CFR 1.47(b)
For: Surface Finish of Cementitious:
Nature and Containing Glass Beads :

This is in response to the twice renewed petition under 37 CFR 1.47(b) filed on 19 November, 2002 (certificate of mailing date 13 November, 2002).

The petition is **GRANTED**.

Petitioner has shown, via the statement of registered patent attorney Frank J. McGue, that a copy of the application was sent via E-mail to the non-signing inventor. The inventor, however, failed to sign and return the declaration naming him as the sole inventor. Additionally, petitioners have shown proprietary interest by showing that the invention was assigned by the inventor to petitioner Beadcreate Pty. Ltd. Lastly, petitioner has submitted a declaration in compliance with 37 CFR 1.63 and 1.64 and has demonstrated that such action is necessary to prevent irreparable damage.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(b). This application is hereby accorded Rule 1.47(b) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor. Notice of the filing of this application will also be published in the Official Gazette.

The application file is being forwarded to Technology Center 1700 for examination in due course.

Application No. 09/993,529

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Telephone inquiries regarding this communication should be directed to the undersigned at 703.308.6918.

A handwritten signature in cursive script, appearing to read "D Wood".

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy